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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/608,360      | 06/26/2003  | Jeong Hur            | SUN-0027            | 7821             |

7590 12/15/2005  
CANTOR COLBURN LLP  
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EXAMINER

MYINT, DENNIS Y

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2162

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                   |  |
|------------------------------|--------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/608,360 | <b>Applicant(s)</b><br>HUR, JEONG |  |
|                              | <b>Examiner</b><br>Dennis Myint      | <b>Art Unit</b><br>2162           |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-13 have been examined.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 1, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramaswamy (U.S. Patent Number 6423892) in view of Boman et al., (U.S. Patent Application Publication Number 2003/0157968).

Ramaswamy is directed to a system for storing information searched on the Internet for a portable audio apparatus comprising a server agent for (Ramaswamy, Figure 1, "Music Server" 18 and Column 3 Line-35-37) searching and mining relevant information from more than one site for providing arbitrary information (Ramaswamy, Column 3 Line-10-17) on a wired or wireless Internet (Ramaswamy, Figure 1 "Network" 14 and "Network" 12, and Column 2 Line-34-40), by operating an information exploring robot agent (Ramaswamy, Figure 1, "Music Server" 18 and Column 3 Line-35-37) according to searching condition and period set by a user (Ramaswamy, Column 3 Line-8-17), and for extracting text information (Ramaswamy, Column 3 Line-21-28, "a

Art Unit: 2162

list of titles”) from mined information by performing a first filtering for the mined information according to searching condition; and (Ramaswamy, Column 3 Line-21-28).

Even though the system taught by Ramaswamy does disclose a portable audio apparatus (Ramaswamy, Figure 1, “Wireless MP3 Player” 10 and Column 2 Line-26-45), said system does not comprise a client agent which processes data to be presented to the portable audio device (Wireless MP3 Player). However, Boman et al. teaches a system for portable devices wherein a client agent (Boman Figure 1 “Speech Processing Server” 18 and Paragraph 0015) for receiving text information extracted (from the server agent) (Boman, Paragraph 0035), performing a second filtering according to searching condition set by a user (Boman, Paragraph 0035-0036), converting text information satisfying searching condition into voice information (Boman, Paragraph 0037), and storing information by transmitting information to a portable apparatus (Boman, Figure 3 “Selected E-Mail Message” 82 and Paragraph 0037 “data store” and “displayed as text messages”).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the system of Ramaswamy with the system taught by Boman so that the combined system would be a system for storing information searched on the Internet for a portable audio apparatus, which comprises a client agent for processing data to be presented to a portable audio apparatus. One would have been motivated to do so because “many mobile communication devices” lack “processing power and memory” and it is often not feasible to implement full-featured

Art Unit: 2162

voice processing systems in the mobile communication device itself" (Boman Paragraph 0014).

Claim 8 is rejected on the same basis as claim 1.

Referring to claim 7, the system and method of Ramaswamy in view of Boman et al. as discussed above with regard to claim 1 discloses the invention as claimed. Bowman discloses that the system comprises more than one electronic mail server (Boman, Figure 1, "Subscriber Mail Server" 38 and "Private Mail Server" 24) for searching electronic mail data (Bowman, Paragraph 0018-0019).

2. Claim 2, 3, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramaswamy in view of Boman et al. and further in view of Mockett et al. (U.S. Patent Application Publication Number 2001/0037359).

Referring to claim 2, the system and method taught by Ramaswamy in view of Boman et al. as applied to claim 1 above does not disclose that the first filtering at the server agent eliminates image information and moving image information among mined information through a filtering process. However, Mockett et al. teaches a system and method for a server-side browsing wherein the Dynamic Language Markup Language Rewriter Engine (DMLRE), inherently, eliminates ("deleting") image information and moving ("reordering") image information among mined information through a filtering process (Mockett et al., Paragraph 0038).

At the time the invention was made, it would have obvious to a person of ordinary skill in the art to add the feature for filtering/editing web content as taught by Mockett et

Art Unit: 2162

al. to the system taught by Ramaswamy in view of Boman et al. as applied to claim 1 so that, in the resultant system, wherein the first filtering at the server agent eliminates image information and moving image information among mined information through a filtering process. One would have been motivated to do so in order to "have a system with software that allows customized information gathering and delivery or presentation to the user" (Mockett et al., Paragraph 0003).

Claim 9 is rejected on the same basis as claim 2.

Referring to claim 3, the system and method of Ramaswamy in view of Boman et al. and further in view of Mockett et al. as discussed above with regard to claim 2 discloses the invention as claimed. Mockett et al. discloses that the second filtering at the client agent deletes files (Paragraph 0038) including predetermined words among mined information through a filtering process.

Claim 10 is rejected on the same basis as claim 3.

3. Claim 4, 6, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramaswamy in view of Boman et al. and further in view of Wanchoo et al. (U.S. Patent Application Publication Number 2004/0015960).

Referring to claim 4, the system and method taught by Ramaswamy in view of Boman et al. as applied to claim 1 above does not disclose that authentication process takes place when the portable audio apparatus is connected to the client agent. However, Wanchoo al. teaches a system and method for loading and executing an application in an embedded environment wherein an authentication process takes place

Art Unit: 2162

when a portable communication device is connected to the Internet for software download (Wanchoo et al. Paragraph 0015).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the to add the feature for authenticating a portable device as taught by Wanchoo et al. to the system and method taught by Ramaswamy in view of Boman et al. as applied to claim 1 so that, in the resultant system, the client agent performs an authentication procedure when the portable audio device is connected and stores the voice data only if the authentication procedure has been performed. One would have been motivated to do so simply because of the security concerns.

Claim 11 is rejected on the same as claim 4.

Referring to claim 6, the system and method of Ramaswamy in view of Boman et al., and further in view of Wanchoo et al. as discussed above with regard to claim 4 discloses the invention as claimed. Wanchoo et al. discloses that an authentication code (authentication file) is used in the authentication procedure of said system and method (Wanchoo et al., Paragraph 0015).

Claim 13 is rejected on the same basis as claim 6.

4. Claim 5, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramaswamy in view of Boman et al., further in view of Wanchoo et al. and further in view of Schneier et al. (U.S. Patent Number 5970143).

System and method taught by Ramaswamy in view of Boman et al., further in view of Wanchoo et al. as applied to claim 4 above does not disclose that the serial

Art Unit: 2162

number of a chip within the portable audio apparatus is used for the authentication procedure. However, Schneier et al. teaches a system and method for authentication of computer-generated outcomes wherein a unique serial number that is laser-etched onto the chip is used for authentication procedure (Schneier et al., Column 18 Line-7-41).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to add said feature of using chip serial number in authentication procedure as taught by Schneier et al. to the system and method taught by Ramaswamy in view of Boman et al., further in view of Wanchoo et al. as applied to claim 4 above so that, in the resultant system, the client agent would perform the authentication procedure by checking a serial number of a chip provided within the portable audio apparatus. One would have been motivated to do so in order to provide user "a security token" "which may be utilized to prevent unauthorized access" (Schneier et al., Column 17 Line-51-61).

Claim 12 is rejected on the same basis as claim 5.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM Monday-Friday.




Art Unit: 2162

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis Myint

AU-2162

  
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